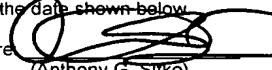


I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Box Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: January 9, 2004

Signature:   
(Anthony G. Sitko)

Docket No.: 55080USA1A.002  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Mark E. Gardiner et al.

Application No.: 09/415,471

Group Art Unit: 2877

Filed: October 8, 1999

Examiner: Sang H. Nguyen

For: **OPTICAL ELEMENT HAVING  
PROGRAMMED OPTICAL STRUCTURES**

**RESPONSE TO THE OCTOBER 10, 2003 OFFICE ACTION**

**Box Non-Fee Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office action mailed October 10, 2003 in the above-referenced patent application.

**Pending Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 6 of this paper.

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